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6 Attorneys for Defendant

7 INDIANAPOLIS LIFE INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10
11 MICHAEL RICUPITO, an individual; and
12 MICHAEL R. RICUPITO, DDS, MS, INC.,
13 a California corporation; MICHAEL
RICUPITO DDS, DEFINED BENEFIT
PENSION PLAN,

14 Plaintiffs,

15 vs.

16 INDIANAPOLIS LIFE INSURANCE
17 COMPANY, an Indiana corporation, and
DOES 1 through 100, inclusive,

18 Defendant.

Case No. C09-05111-CRB

**STIPULATION EXTENDING TIME
FOR DEFENDANT INDIANAPOLIS
LIFE INSURANCE COMPANY TO
RESPOND TO PLAINTIFFS'
COMPLAINT**

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1 WHEREAS on October 27, 2009 Defendant Indianapolis Life Insurance Company
2 ("ILIC") removed Plaintiffs' complaint, which was filed in California State Court, County
3 of Alameda as Case No. HG-09-472810 (the "Complaint"), to this Court;

4 WHEREAS ILIC's responsive pleading to Plaintiffs' Complaint is due on or before
5 November 2, 2009;

6 NOW THEREFORE, Plaintiffs and ILIC, by and through their counsel, stipulate to
7 extent the time for ILIC to respond to Plaintiffs' Complaint. ILIC's responsive pleading,
8 per this stipulation, shall be filed on or before November 23, 2009.

9 IT IS SO STIPULATED.

10
11 Dated: Nov. 2, 2009

RUTAN & TUCKER, LLP

12
13 By: 

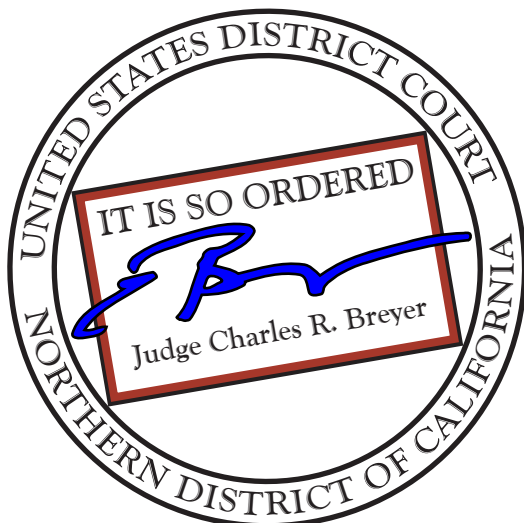
14 William T. Eliopoulos
15 Kaveh Badiei
16 Attorneys for Defendant
17 INDIANAPOLIS LIFE INSURANCE
18 COMPANY

19 Dated: October 30, 2009

LAW OFFICES OF
WILLIAM F. GHIRINGHELLI

20
21 By: 

22 William F. Ghiringhelli
23 Attorneys for Plaintiffs
24 MICHAEL RICUPITO, MICHAEL R.
25 RICUPITO, DDS, MS, INC. and
26 MICHAEL RICUPITO DDS, DEFINED
27 BENEFIT PENSION PLAN
28



PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF SANTA CLARA

I am employed by the law office of Rutan & Tucker, LLP in the County of Santa Clara, State of California. I am over the age of 18 and not a party to the within action. My business address is Five Palo Alto Square, 3000 El Camino Real, Suite 200, Palo Alto, CA 94306-9814.

On November 2, 2009, I served on the interested parties in said action the within:

**STIPULATION EXTENDING TIME FOR DEFENDANT INDIANAPOLIS
LIFE INSURANCE COMPANY TO RESPOND TO PLAINTIFFS'
COMPLAINT**

by placing a true copy thereof in sealed envelope(s) addressed as stated below:


William. F. Ghiringhelli, Esq.
LAW OFFICES OF WILLIAM F. GHIRINGHELLI
39159 Paseo Padre Parkway, Suite 225
Fremont, CA 94538
Tel: (510) 396-3148
Fax: (510) 648-2902

In the course of my employment with Rutan & Tucker, LLP, I have, through first-hand personal observation, become readily familiar with Rutan & Tucker, LLP's practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice I deposited such envelope(s) in an out-box for collection by other personnel of Rutan & Tucker, LLP, and for ultimate posting and placement with the U.S. Postal Service on that same day in the ordinary course of business. If the customary business practices of Rutan & Tucker, LLP with regard to collection and processing of correspondence and mailing were followed, and I am confident that they were, such envelope(s) were posted and placed in the United States mail at Palo Alto, California, that same date. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on November 2, 2009, at Palo Alto, California.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction the service was made and that the foregoing is true and correct.

Maryknol Respicio
(Type or print name)


(Signature)